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Agenda item 20

RIGHTS OF THE CHILD

Argentina, Austria, Belgium*, Bolivia*, Brazil, Canada, Chile, Colombia*, Costa Rica*, Cuba, Czech Republic, Denmark, Dominican Republic*, Ecuador, El Salvador, Estonia*, Ethiopia*, Finland*, France, Germany, Greece*, Guatemala, Haiti*, Honduras*, Hungary*, India, Italy, Japan, Luxembourg, Mexico, Netherlands*, Nicaragua*, Paraguay*, Peru, Poland, Portugal*, Romania*, Slovakia*, South Africa, Spain*, Sweden*, Switzerland*, Tunisia, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela: draft resolution

1998/... Rights of the child

The Commission on Human Rights,

Bearing in mind the Convention on the Rights of the Child,

Recalling its resolution 1997/78 of 18 April 1997, as well as all its previous resolutions on this subject,

Recalling also the adoption of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, the Programme of Action for the Elimination of the Exploitation of Child Labour and the Programme of Action for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Taking note of General Assembly resolutions 52/98, 52/99, 52/105, 52/106 and 52/107 of 12 December 1997,

Reaffirming the Declaration and Plan of Action adopted by the World Summit for Children in 1990 and the Vienna Declaration and Programme of Action, which, inter alia, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children such as female infanticide, harmful child labour, sale of children and their organs, child prostitution and child pornography as well as other forms of sexual abuse, and which reaffirms that all human rights and fundamental freedoms are universal,

Expressing its support for the ongoing negotiations on the creation of a permanent international criminal court, and inviting those involved to be guided by the principles and the provisions of the Convention on the Rights of the Child, as appropriate,

Noting the work carried out by:

(a) The Committee on the Rights of the Child;

(b) The Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography;

(c) The recently appointed Special Representative of the Secretary-General for children in armed conflict to follow up the recommendations presented in the study concluded in 1996 by the expert appointed by the Secretary-General;

(d) The working groups on draft optional protocols to the Convention on the Rights of the Child relating to the involvement of children in armed conflict and to the sale of children, child prostitution and child pornography, respectively;

(e) The United Nations Children's Fund;

(f) Other relevant bodies and organizations of the United Nations system, regional organizations, intergovernmental and non-governmental organizations and institutions for the promotion and protection of the rights of the child, and encouraging the establishment of bodies and institutions, both governmental and non-governmental, to monitor, carry out or support activities in favour of children,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of poverty, inadequate social and economic conditions, natural disasters, armed conflicts, displacement, economic and sexual exploitation, illiteracy, hunger, intolerance and disability, and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Recognizing that legislation alone is not enough to prevent violations of the rights of the child, that stronger political commitment is needed and that Governments should implement their laws and complement legislative measures with effective action, inter alia in the fields of law enforcement and in the administration of justice, and in social, educational and public health programmes,

Recommending that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and where their rights are violated and that they take into account the work of the Committee on the Rights of the Child,

Underlining the need for mainstreaming a gender perspective into all policies and programmes relating to children,

Reaffirming, as set out in the Convention, that the best interests of the child should be a primary consideration in all actions concerning children,

I

Implementation of the Convention on the Rights of the Child

1. Welcomes:

(a) The nearly universal ratification of or accession by States to the Convention on the Rights of the Child whose number, according to the report of the Secretary-General (E/CN.4/1998/99), reached 191, and urges those States that have not yet done so to sign and ratify or accede to the Convention as a matter of priority;

(b) The role of the Committee on the Rights of the Child in creating awareness of the principles and provisions of the Convention and in providing recommendations to States parties on its implementation, and takes note of the reports on its fourteenth, fifteenth and sixteenth sessions (CRC/C/62, 66 and 69);

(c) The publication by the United Nations Children's Fund of the Implementation Handbook for the Convention on the Rights of the Child, which constitutes an important advocacy tool to promote wider understanding of the principles and provisions of the Convention;

2. Calls upon States parties:

(a) To implement the Convention fully, to cooperate closely with the Committee on the Rights of the Child and to comply in a timely manner with their reporting obligations under the Convention, in accordance with the guidelines elaborated by the Committee, as well as to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

(b) To withdraw reservations incompatible with the object and purpose of the Convention and to consider reviewing other reservations;

(c) To accept the amendment to paragraph 2 of article 43 of the Convention, adopted by the Conference of the States Parties on 12 December 1995 and approved by the General Assembly in its resolution 50/155 of 21 December 1995, which would increase the membership of the Committee on the Rights of the Child from 10 to 18 experts upon its entry into force;

(d) To ensure that the rights set forth in the Convention are respected without discrimination of any kind based on the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;

(e) To ensure that the education of the child shall be carried out in accordance with articles 28 and 29 of the Convention and that the education be directed, inter alia, to the development of respect for human rights and fundamental freedoms, for the Charter of the United Nations and for different cultures and to the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, gender equality and friendship among peoples, ethnic, national and religious groups and persons of indigenous origin;

(f) To ensure that every child alleged or recognized as having infringed the penal law is treated with dignity in accordance with the principles and relevant provisions of the Convention;

(g) And organs and bodies of the United Nations, within the scope of their respective mandates, as well as intergovernmental and non-governmental organizations, the media and the community at large, to make the principles and provisions of the Convention widely known to adults and children alike in accordance with article 42 and to encourage training on the rights of the child for those involved in activities concerning children, for example through the programme of advisory services and technical cooperation in the field of human rights;

3. Decides, with regard to the Committee on the Rights of the Child:

(a) To request the Secretary-General to ensure the provision of appropriate staff and facilities from the United Nations regular budget for the effective and expeditious performance of the functions of the Committee, while noting the temporary support given by the Plan of Action of the United Nations High Commissioner for Human Rights to strengthen the implementation of the Convention on the Rights of the Child, based on voluntary contributions, which provides human resources to assist the Committee with the increasing workload due to the near universalization of the Convention, and requests the Office of the High Commissioner for Human Rights to brief Governments regularly on the implementation of the Plan of Action;

(b) To encourage the Committee, in monitoring the implementation of the Convention on the Rights of the Child, to continue to pay attention to the needs of children requiring special protection;

II

The girl child

4. Reaffirms the fundamental principle set forth in the Vienna Declaration and Programme of Action and in the Beijing Declaration and Platform for Action that the human rights of women and girls are an inalienable, integral and indivisible part of universal human rights;

5. Calls upon all States:

(a) To take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms, and to take effective action against violations of those rights and freedoms;

(b) And international and non-governmental organizations, individually and collectively, to set goals and to develop and effectively implement gender-sensitive strategies to address the rights and needs of children, in

accordance with the Convention on the Rights of the Child, especially the rights and particular needs of girls in education, health and nutrition, and to eliminate harmful cultural attitudes and practices against girls;

(c) To eliminate all forms of discrimination against girls and the root causes of son preference, which result in harmful and unethical practices, inter alia by enacting and enforcing legislation protecting girls from violence, including female infanticide and prenatal sex selection, genital mutilation, incest, sexual abuse and exploitation, and by developing age-appropriate, safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

(d) To intensify efforts to raise awareness of and to mobilize international and national public opinion concerning the harmful effects of female genital mutilation and other traditional or customary practices affecting the health of women and girls, in particular through education, information dissemination and training, involving, among others, public opinion leaders, educators, religious leaders, medical practitioners, women's health and family planning organizations and the media, in order to achieve the total elimination of these practices, and to support women's organizations at the national and local levels that are working for the elimination of female genital mutilation and other harmful traditional or customary practices;

III

Prevention and eradication of the sale of children and of their sexual exploitation and abuse, including child prostitution and child pornography

6. Welcomes:

(a) The report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Mrs. Ofelia Calceta Santos (E/CN.4/1998/101 and Add.1 and 2), which contains a general overview of the latest developments at the national and international levels on the themes under her mandate, and focuses this year on the role of the media and of education in the prevention of the problem of commercial sexual exploitation of children and in the assistance, rehabilitation and reintegration of the child victims;

(b) The report of the working group on the question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on its fourth session (E/CN.4/1998/103);

(c) The measures taken by Governments to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, taking note of the biennial report of the Secretary-General thereon (E/CN.4/1997/11);

7. Calls upon all States:

(a) To develop urgently, implement and enforce measures to eliminate the sale, traffic, abduction and sexual exploitation or abuse of children, including through child sex tourism, keeping in mind especially the provisions of the Convention on the Rights of the Child and the concrete measures outlined in the Vienna Declaration and Programme of Action and in the Programmes of Action approved by the Commission in 1992, 1993 and 1996, as well as in the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children (A/51/385, annex), held in Stockholm in August 1996 at the initiative of the Government of Sweden;

(b) To participate constructively in the negotiations on an optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography with the aim of an early agreement on the text, recalling the mandate given to the working group by the Commission in its resolution 1995/78;

(c) To criminalize effectively commercial and all other forms of sexual exploitation and sexual abuse of children, including child sex tourism, while ensuring that the child victims of such exploitation or abuse are not penalized for such practices, and to prosecute offenders, whether local or foreign, and to ensure that a person who exploits a child for sexual abuse in another country is prosecuted by competent national authorities, either in the offender's country of origin or in the destination country;

(d) To step up cooperation and concerted action, at the national and international levels, by all relevant authorities and institutions, especially those charged with law enforcement, with a view to combating the existence of a market that encourages such criminal practices against children and dismantling national and international networks trafficking in children;

(e) And relevant United Nations bodies and agencies to allocate resources for comprehensive and gender-sensitive programmes to rehabilitate physically and psychologically child victims of trafficking and of any form of sexual exploitation and abuse, and to promote their social reintegration;

(f) To work towards strengthening partnerships between Governments, international organizations and all sectors of civil society, particularly non-governmental organizations, in order to achieve these objectives, and welcomes the efforts already made in this respect;

(g) To cooperate with and assist the Special Rapporteur and to furnish all information requested, including by inviting her to visit their countries;

8. Decides, with regard to the Special Rapporteur on the sale of children, child prostitution and child pornography:

(a) To renew the mandate for a further three years and to request the Secretary-General to provide the Special Rapporteur with all necessary assistance and to urge all relevant parts of the United Nations system to provide the Special Rapporteur with comprehensive reporting to make the full discharge of her mandate possible and to enable her to submit an interim report to the General Assembly at its fifty-third session and a report to the Commission on Human Rights at its fifty-fifth session;

(b) To invite the Special Rapporteur to continue to cooperate closely with other relevant United Nations organs and bodies and to convey her findings to the Commission on the developments and recommendations on the broad range of issues under her mandate;

9. Decides, with regard to the question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography:

(a) To request the Secretary-General to transmit the report of the working group on the question of a draft optional protocol to Governments, relevant specialized agencies, the Committee on the Rights of the Child, the relevant Special Rapporteur and intergovernmental and non-governmental organizations and to invite their comments, inter alia on the scope of the optional protocol, in time for circulation prior to the next session of the working group, and invites the Committee on the Rights of the Child to consider being represented and the Special Rapporteur to consider being present at the next session of the working group;

(b) To request the working group to meet for a period of two weeks prior to the next session of the Commission and to redouble its efforts with the aim of finalizing the draft optional protocol by the tenth anniversary of the Convention on the Rights of the Child and, to that end, encourages the Chairman of the working group to conduct broad informal consultations;

IV

Protection of children affected by armed conflict

10. Welcomes:

(a) The appointment for three years of the Special Representative of the Secretary-General for children in armed conflict, as proposed by the General Assembly in its resolution 51/77 of 12 December 1996, to follow up the practical recommendations contained in the final report of the expert appointed by the Secretary-General on this question (A/51/306 and Add.1), as well as his first report (E/CN.4/1998/119);

(b) The report of the working group on a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts on its fourth session (E/CN.4/1998/102), whilst regretting that consensus was not reached during that session;

11. Calls upon all States:

(a) To consider acceding to relevant international human rights and humanitarian law instruments, and urges them to implement those instruments to which they are parties;

(b) To participate constructively in the negotiations on an optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts with the aim of an early agreement on the text and of the adoption of a higher standard of protection than the present one contained in article 38 of the Convention, recalling that the original draft used as a basis for the negotiations was prepared by the Committee on the Rights of the Child (E/CN.4/1994/91) and taking into account the report of the working group on its fourth session;

(c) In accordance with the norms of international humanitarian law, to integrate in their military programmes, including those for peacekeeping, instruction on responsibilities towards the civilian population, particularly women and children;

(d) And relevant United Nations bodies, including the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, to contribute on an

ongoing basis to international mine-clearance efforts and urges States to take stronger action to promote gender- and age-appropriate mine-awareness programmes and child-centred rehabilitation, thereby reducing the number and the plight of child victims, and welcomes increased international efforts in various forums with respect to anti-personnel mines, recognizes the positive effect on children of those efforts, and in this regard takes due note of the adoption of and implementation by those States that become parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, opened for signature in Ottawa in 1997, as well as the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, of 1996;

12. Calls upon all States and other parties to armed conflict:

(a) To respect international humanitarian law and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977, while bearing in mind resolution 2 of the twenty-sixth International Conference of the Red Cross and Red Crescent of 1995 entitled "Protection of civil population during armed conflict", and to respect the provisions of the Convention on the Rights of the Child which accord children affected by armed conflict special protection and treatment;

(b) To end the use of children as soldiers and to ensure their demobilization, and to implement effective measures for the rehabilitation and the reintegration into society of child soldiers, child victims in cases of armed conflict or foreign occupation, including victims of landmines and all other weapons, and victims of gender-based violence, inter alia through adequate education and training, and invites the international community to assist in this endeavour;

(c) As well as United Nations agencies to ensure access of humanitarian aid and assistance to children affected by armed conflict;

13. Reaffirms:

(a) That rape in the conduct of armed conflict constitutes a war crime and that under certain circumstances it constitutes a crime against humanity and an act of genocide, and calls upon all States to take all measures

required for the protection of children and women from all acts of gender-based violence, including rape, sexual exploitation and forced pregnancy, and to strengthen mechanisms to investigate and prosecute perpetrators;

(b) That all humanitarian responses in armed conflict situations should emphasize the special reproductive health needs of girls and women, including those that arise from pregnancy as a result of rape, sexual mutilation, childbirth at an early age or infection with sexually transmitted diseases, as well as HIV/AIDS, and access to family planning services;

(c) The importance of preventive measures such as early-warning systems, preventive diplomacy and education for peace to prevent conflicts and their negative impact on the enjoyment of the rights of the child, and urges Governments and the international community to promote sustainable human development;

(d) The importance of special attention for children in situations of armed conflict, in particular in the areas of health and nutrition, education and social reintegration, in developing emergency and other humanitarian assistance policies and programmes, and of enhanced coordination and cooperation throughout the United Nations system to this end;

(e) Its support for the recommendations of the General Assembly and the International Conference of the Red Cross and Red Crescent concerning the assessment and monitoring of the consequences of sanctions upon children, as well as those concerning humanitarian relief;

14. Decides, with regard to the draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts:

(a) To request the Secretary-General to transmit the report of the working group on the draft optional protocol to Governments, relevant United Nations bodies and specialized agencies, the Committee on the Rights of the Child, the Special Representative on children in armed conflict and intergovernmental and non-governmental organizations, and to invite their comments on annex I negotiated in plenary, as well as on annex II containing the "Chairman's perception" based on informal consultations in time for circulation prior to the next session of the working group, and invites the

International Committee of the Red Cross and the Committee on the Rights of the Child to consider being represented and the Special Representative to consider being present at the next session of the working group;

(b) To encourage the Chairman of the working group to conduct broad informal consultations with the aim of promoting an early agreement on the optional protocol and to produce a report thereon by the end of 1998 including, if possible, recommendations and/or ideas on the best way for the formal negotiations to proceed;

(c) To request the working group to meet in early 1999, primarily to consider the Chairman's report on the status of the informal consultations, which should be available well in advance, and to report to the Commission on Human Rights at its fifty-fifth session;

(d) To request the Secretary-General to give the necessary support to the working group to meet for a maximum of two weeks, if the working group decides that an agreement on the draft optional protocol is possible at that session;

(e) To reaffirm the aim of finalizing the draft optional protocol by the tenth anniversary of the Convention;

15. Decides, with regard to the Special Representative of the Secretary-General on children in armed conflict to recommend that the Secretary-General ensure that the necessary support is made available to the Special Representative for the effective performance of his mandate, to encourage the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the Office of the United Nations High Commissioner for Human Rights to provide support to the Special Representative, and to call upon States and other institutions to provide voluntary contributions for that purpose;

16. Decides, with regard to preventive measures, to request the Secretary-General, in cooperation with States, international organizations and relevant non-governmental organizations to consider modalities for organizing regional training programmes for members of the armed forces relating to the protection of children and women during armed conflicts;

V

Protection of refugee and internally displaced children

17. Calls upon all States:

(a) To protect refugee and internally displaced children, including through policies for their care, well-being and development, in such areas as health, education and psycho-social rehabilitation, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and the International Committee of the Red Cross, in accordance with their obligations under the Convention on the Rights of the Child and taking into account the 1994 guidelines on protection and care of refugee children of the Office of the United Nations High Commissioner for Refugees, and the Conclusion on refugee children and adolescents adopted by the Executive Committee of the Programme of the High Commissioner at its forty-eighth session in October 1997, as well as the recommendations by the Representative of the Secretary-General on the internally displaced persons (see E/CN.4/1998/53 and Add.1 and 2);

(b) And United Nations bodies and agencies, in coordination with other international humanitarian organizations such as the International Committee of the Red Cross, to ensure the early identification and registration of unaccompanied refugee and internally displaced children, to give priority to programmes for family tracing and reunification, and to continue monitoring the care arrangements for unaccompanied refugee and internally displaced children, taking into account the 1997 Guidelines on policies and procedures in dealing with unaccompanied children seeking asylum of the Office of the United Nations High Commissioner for Refugees;

(c) And other parties to armed conflicts to recognize that refugee and internally displaced children are particularly exposed to the risks of injury, exploitation and death in connection with armed conflicts, such as being forcibly recruited or subject to sexual violence, abuse or exploitation, stressing the special vulnerability of households headed by children, and calls upon Governments and United Nations bodies and organizations to give those situations urgent attention, enhancing protection and assistance mechanisms, with the participation of women and youth in the design, delivery and monitoring of measures to protect them;

VI

Elimination of the exploitation of child labour

18. Welcomes:

(a) The report of the Secretary-General on the elimination of the exploitation of child labour, submitted pursuant to General Assembly resolution 51/77 on the initiatives on the elimination of child labour contrary to accepted international standards and the appropriate means to improve cooperation in this area at the national and international levels (A/52/523);

(b) Recent publications and reports by the United Nations Children's Fund and the International Labour Organization on child labour, as well as the support given by them to governmental initiatives for the organization of international conferences on child labour at a regional or global level, at which declarations and programmes of action were adopted with the aim of the effective elimination of the exploitation of child labour, giving priority to the immediate elimination of the most intolerable forms of child labour and to the rehabilitation of those children and the search for alternatives;

(c) The legislative, administrative, social and educational measures taken by Governments to protect children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with their education, or to be harmful to their health or physical, mental, spiritual, moral or social development, taking into account in particular the relevant provisions of the Convention on the Rights of the Child and of the international instruments of the International Labour Organization, as well as the measures outlined in the Programme of Action for the Elimination of the Exploitation of Child Labour of 1993 and the Copenhagen Declaration and Programme of Action adopted by the World Summit on Social Development in 1995 (A/CONF.166/9, Chap. I), and calls upon relevant United Nations agencies and bodies, in particular the United Nations Children's Fund and the International Labour Organization, to continue to support national efforts in this regard;

(d) The efforts by the Committee on the Rights of the Child in the area of child labour, noting its recommendations on the economic exploitation of children adopted at its fifth session in January 1994 (see A/49/41), and encourages the Committee as well as other relevant human rights treaty bodies, within their respective mandates, to continue to monitor this serious problem when examining reports of States parties;

19. Calls upon all States:

(a) That have not yet done so to consider ratifying the conventions of the International Labour Organization relating to child labour, in particular those concerning the abolition of forced labour (No. 29) and the minimum age for admission to employment, including for particularly hazardous work (No. 138), and those States that are parties to those conventions to implement them effectively and urges all States, as a matter of priority, to eliminate all extreme forms of child labour such as forced labour, bonded labour and other forms of slavery;

(b) To eliminate progressively and effectively all forms of child labour contrary to the accepted international standards, starting with its most grave and intolerable forms, inter alia by implementing national action plans with specific target dates, as well as supporting the upcoming negotiations at the International Labour Organization for the early finalization of a future instrument aimed at eradicating the most intolerable forms of child labour;

(c) To recognize the right to education by making primary education compulsory and ensuring that all children have access to free and relevant primary education as a key strategy to prevent child labour, as well as making secondary education generally available and accessible to all, and in particular by the progressive introduction of free education;

(d) To systematically assess and examine, in close cooperation with international organizations such as the International Labour Organization and the United Nations Children's Fund, the magnitude, nature and causes of the exploitation of child labour, and to develop and implement strategies for combating those practices, giving special attention to specific dangers faced by girls;

(e) To strengthen international cooperation and coordination, inter alia through the United Nations programme of advisory services in the field of human rights, the International Programme on the Elimination of Child Labour of the International Labour Organization and activities of the United Nations Children's Fund, as a means of assisting Governments in preventing and combating violations of the rights of the child, in particular the exploitation of child labour;

VII

The plight of children working and/or living on the street

20. Calls upon:

(a) All States, while expressing grave concern at the large number of children working and/or living on the street and at the continued growth in incidents and reports worldwide of such children being involved in and affected by serious crime, drug trafficking and abuse, violence and sexual exploitation, including through prostitution, to continue actively to seek comprehensive solutions to the problems of children working and/or living on the street, while emphasizing that strict compliance with obligations under relevant international human rights instruments, including the Convention on the Rights of the Child, constitutes a significant step towards solving the problems of children working and/or living on the street;

(b) All States to ensure the reintegration of children working and/or living on the street into society and to provide, inter alia, adequate nutrition, shelter, health care and education, taking into account that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect, and encourages States to take the situation of children working and/or living on the street fully into account in preparing their reports to the Committee on the Rights of the Child, and requests the Committee and other relevant treaty monitoring bodies, within their existing mandates, to give due attention to the question of children working and/or living on the street;

(c) All States to guarantee respect for all human rights and fundamental freedoms, particularly the right to life, and to take urgent and effective measures to prevent the killing of children working and/or living on the street and to combat torture and violence against them, and to ensure that legal and juridical processes respect children's rights in order to protect them against arbitrary deprivation of liberty, maltreatment or abuse;

(d) The international community to support, through effective international cooperation, the efforts of States to improve the situation of children in need of special protection measures, including in urban settlements in accordance with the Habitat Agenda (A/CONF.165/14) adopted by the United Nations Conference on Human Settlements (Habitat II), held in Istanbul, Turkey, in June 1996;

VIII

Children with disabilities

21. Welcomes the attention given by the Committee on the Rights of the Child, when considering the reports of the States parties to the Convention, to the subject of the rights of children with physical or mental disabilities to enjoy their lives with dignity and to their individual development and social integration, as well as the general debate on this issue, starting at the sixteenth session of the Committee in 1997, focused on the rights to life and development, self-representation and full participation and the right to an inclusive education, with the aim of preparing recommendations for the effective implementation of the Convention, and invites the Committee to continue its task in cooperation with the representatives of the relevant United Nations bodies and organizations, non-governmental organizations and the Special Rapporteur on disabled persons of the Commission for Social Development;

22. Calls upon all States parties to adopt, in accordance with article 23 of the Convention on the Rights of the Child, all necessary measures to ensure the full enjoyment in equal conditions of all human rights and fundamental freedoms by children with disabilities, especially ensuring the effective access of such children to education and health services, to develop and implement legislation prohibiting discrimination against these children and to include these measures in their reports to the Committee on the Rights of the Child;

IX

23. Decides:

(a) To request the Secretary-General to submit to the Commission at its fifty-fifth session a report on the rights of the child, with information on the status of the Convention on the Rights of the Child and on the problems addressed in the present resolution;

(b) To continue its consideration of the question at its fifty-fifth session under the agenda item entitled "Rights of the child".

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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 22

THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Austria, Czech Republic, Denmark, Finland*, Germany, Hungary*, Ireland, Netherlands*, Norway*, Portugal*, Sweden* and United Kingdom of Great Britain and Northern Ireland:

draft resolution

1998/... Conscientious objection to military service

The Commission on Human Rights,

Bearing in mind that it is recognized in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights that everyone has the right to life, liberty and security of person, as well as the right to freedom of thought, conscience and religion and the right not to be discriminated against,

Recalling its previous resolutions on the subject, most recently 1995/83 of 8 March 1995, in which it recognized the right of everyone to have conscientious objections to military service as a legitimate exercise of the right to freedom of thought, conscience and religion, as well as article 18 of the International Covenant on Civil and Political Rights and General Comment No. 22 (48) of the Human Rights Committee,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Having considered the report of the Secretary-General (E/CN.4/1997/99),

Recognizing that conscientious objection to military service derives from principles and reasons of conscience, including profound convictions, arising from religious, moral, ethical, humanitarian or similar motives,

Aware that persons performing military service may develop conscientious objections,

Recalling article 14 of the Universal Declaration of Human Rights which recognizes the right of everyone to seek and enjoy in other countries asylum from persecution,

1. Draws attention to the right of everyone to have conscientious objections to military service as a legitimate exercise of the right to freedom of thought, conscience and religion, as laid down in article 18 of the Universal Declaration of Human Rights and article 18 of the International Covenant on Civil and Political Rights;

2. Welcomes the fact that some States accept claims of conscientious objection as valid without inquiry;

3. Calls upon States that do not have such a system to establish independent and impartial decision-making bodies with the task of determining whether a conscientious objection is genuinely held in a specific case, taking account of the requirement not to discriminate between conscientious objectors on the basis of the nature of their particular beliefs;

4. Reminds States with a system of compulsory military service, where such provision has not already been made, of its recommendation that they provide for conscientious objectors various forms of alternative service which are compatible with the reasons for conscientious objection, of a non-combatant or civilian character, in the public interest and not of a punitive nature;

5. Emphasizes that States should take the necessary measures to refrain from subjecting conscientious objectors to imprisonment and to repeated punishment for failure to perform military service, and recalls that no one shall be liable or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country;

6. Reiterates that States, in their law and practice, must not discriminate against conscientious objectors in relation to their terms or conditions of service, or any economic, social, cultural, civil or political rights;

7. Encourages States, subject to the circumstances of the individual case meeting the other requirements of the refugee definition as set out in the 1951 Convention relating to the Status of Refugees, to consider granting asylum to those conscientious objectors compelled to leave their country of origin because they fear persecution owing to their refusal to perform military service and there is no, or no adequate provision for conscientious objection to military service;

8. Affirms the importance of the availability of information about the right to conscientious objection to military service, and the means of acquiring conscientious objector status, to all persons affected by military service;

9. Requests the Secretary-General to transmit the present resolution to Governments, the specialized agencies and relevant intergovernmental and non-governmental organizations and to include the right to conscientious objection to military service in the public information activities of the United Nations, including the United Nations Decade for Human Rights Education;

10. Also requests the Secretary-General to collect information from Governments, the specialized agencies and intergovernmental and non-governmental organizations on recent developments in this field and to submit a report, within existing resources, to the Commission on Human Rights at its fifty-sixth session;

11. Decides to consider this matter further at its fifty-sixth session under the agenda item "The question of conscientious objection to military service".

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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Administrative and programme budget implications of the draft resolution contained in document E/CN.4/1998/L.16 entitled "The right to food"

A. Request contained in the resolution

1. Under the terms of paragraph 6 of draft resolution E/CN.4/1998/L.16, the Commission on Human Rights would endorse inter alia the proposal made by the Consultation on the Right to Adequate Food to have a follow-up meeting in 1998 to pursue the discussions on the contents and means of implementation of the right to adequate food in order to provide the High Commissioner for Human Rights with a full set of recommendations concerning her response to the request of the World Food Summit.

B. Relationship of request to the programme of work

2. The activity referred to above, which stems from Article 11 of the International Covenant on Economic, Social and Cultural Rights, falls under programme 19 (Human Rights), subprogramme 1 (Right to Development, research and analysis) of the medium-term plan for the period 1998-2001 (A/51/6/Rev.1).

3. It also falls under subprogramme 1 (Right to Development, research and analysis) of Section 22 (Human Rights) of the programme budget for the biennium 1998-1999.

C. Activities by which the request would be implemented

4. The Office of the High Commissioner for Human Rights would organize a two-day meeting in the course of 1998 for the above-mentioned purpose.

D. Modification of the programme of work

5. The description of the programme of work under subprogramme 1 of Section 22 of the programme budget for 1998-1999 would be modified through the addition of a reference to a "meeting on the content and means of implementation of the right to adequate food" under subparagraph 22.40 of "Activities: (b) Other substantive activities" .

E. Additional requirements at full cost

6. The preliminary estimated full cost of the above activity is itemized as follows:

Section 22

		1998
A.	Consultants	
	Recruitment of one consultant for the preparation of background papers (one month)	$ 13,800
B.	Travel of experts	
	Travel to Geneva for two working days of three experts on the right to food	$ 13,100
	TOTAL	$ 26,900

Section 27 E

[To be filled in later]

F. Potential for absorption

7. No provision has been made under the programme budget for the biennium 1998-1999 to cover the above activity. It is envisaged that such activity would be covered by any available extra-budgetary resources for the purpose.

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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Administrative and programme budget implications of the draft resolution contained in document E/CN.4/1998/L.17 entitled "Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development"

A. Request contained in the resolution

1. Under the terms of paragraph 8 of draft resolution E/CN.4/1998/L.17, the Commission on Human Rights would decide to appoint, for a period of three years, a special rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights.

2. In paragraph 10 of the same resolution, the Secretary-General is requested to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform his/her functions.

B. Relationship of request to the programme of work

3. The above-mentioned activity falls under programme 19 (Human Rights), subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of the medium-term plan for the period 1998-2001 (A/51/6/Rev.1).

4. It also falls under subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of Section 22 (Human Rights) of the programme budget for the biennium 1998-1999. It will fall under the same subprogramme in the proposed programme budget for 2000-2001.

C. Activities by which the request would be implemented

5. During the course of 1998, the Special Rapporteur would undertake one trip to Geneva, for a period of three working days, to hold consultations at the Office of the High Commissioner for Human Rights (OHCHR) and review documentation, to meet representatives of Governments as well as of intergovernmental and non-governmental organizations.

6. In 1998, the Special Rapporteur, accompanied by an OHCHR staff member, would undertake one visit to the field for a period of five working days.

7. In 1999, 2000 and 2001, the Special Rapporteur would undertake one mission to Geneva and one mission to the field, of the same duration as in 1998.

8. The substantive servicing of the Special Rapporteur would involve the work of one Professional Officer at the P-3 level for a period of four months in 1998/1999 and two months in 2000.

D. Modification of the programme of work

9. The description of the programme of work under subprogramme 3 of Section 22 of the programme budget for 1998-1999 would be modified through the addition of a reference to a thematic mandate on the effects of foreign debt on the full enjoyment of economic, social and cultural rights, and to the preparation and processing of the related reports, under paragraphs 22.55 and 22.57 (ii) of the programme budget for the biennium 1998-1999. The same reference would be included in the proposed programme budget for 2000-2001

E. Additional requirements at full cost

10. The preliminary estimated full cost of the above activity is itemized as follows:

Section 22

1998-1999

A.	Staff support for Special Rapporteur	
	Professional (P-3), 4 w/m in 1998/1999	$ 30,700
B.	Travel of Special Rapporteur	
	Travel to Geneva for three working days in 1998 and 1999	$ 8,800
	Travel to the field for five working days in 1988 and 1999	$ 9,600

C.	Travel of OHCHR staff	$ 9,600
D.	Miscellaneous expenses in connection with field missions	$ 3,000
	TOTAL	$ 61,700

2000-2001

A.	Staff support for Special Rapporteur	
	Professional (P-3), 2 w/m in 2000	$ 15,400
B.	Travel of Special Rapporteur	
	Travel to Geneva for three working days in 2000 and 2001	$ 8,800
	Travel to the field for five working days in 2000 and 2001	$ 9,600
C.	Travel of OHCHR staff	$ 9,600
D.	Miscellaneous expenses in connection with field missions	$ 3,000
	TOTAL	$ 46,400

F. Potential for absorption

11. No provision has been made under the programme budget for the biennium 1998-1999 for this purpose. The potential for absorption as well as any net additional resources required would be included in the final programme budget implications statement to be submitted to the Economic and Social Council at its next session, in the context of the Council's review of the report of the fifty-fourth session of the Commission. The resources required for 2000-2001 would be included in the proposed programme budget for that biennium.

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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Administrative and programme budget implications of the draft resolution contained in document E/CN.4/1998/L.29 entitled "Human rights and extreme poverty"

A. Request contained in the resolution

1. Under the terms of paragraph 6 of draft resolution E/CN.4/1998/L.29, the Commission on Human Rights would decide to appoint, for a period of two years, an independent expert of the question of human rights and extreme poverty.

2. It is understood that the Office of the High Commissioner for Human Rights would, as is the case for all other Special Rapporteurs and Independent Experts of the Commission, provide the necessary substantive and operational support to enable the Independent Expert to carry out the mandate.

B. Relationship of request to the programme of work

3. The above-mentioned activity falls under programme 19 (Human Rights), subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of the medium-term plan for the period 1998-2001 (A/51/6/Rev.1).

4. It also falls under subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of Section 22 (Human Rights) of the programme budget for the biennium 1998-1999. It will fall under the same subprogramme in the proposed programme budget for 2000-2001.

C. Activities by which the request would be implemented

5. During the course of 1998, the Independent Expert would undertake one trip to Geneva, for a period of three working days, to hold consultations at the Office of the High Commissioner for Human Rights (OHCHR) and review documentation, to meet representatives of Governments as well as of intergovernmental and non-governmental organizations.

6. In 1998, the Independent Expert, accompanied by an OHCHR staff member, would undertake one visit to the field for a period of five working days.

7. In 1999 and 2000, the Independent Expert would undertake one mission to Geneva and one mission to the field, of the same duration as in 1998.

8. The substantive servicing of the Independent Expert would involve the work of one Professional Officer at the P-3 level for a period of four months in 1998/1999.

D. Modification of the programme of work

9. The description of the programme of work under subprogramme 3 of Section 22 of the programme budget for 1998-1999 would be modified through the addition of a reference to a thematic mandate on human rights and extreme poverty, and to the preparation and processing of the related reports, under paragraphs 22.55 and 22.57 (ii) of the programme budget for the biennium 1998-1999. The same reference would be included in the proposed programe budget for 2000-2001.

E. Additional requirements at full cost

10. The preliminary estimated full cost of the above activity is itemized as follows:

Section 22

1998-1999

A.	Staff support for Independent Expert	
	Professional (P-3), 4 w/m in 1998/1999	$ 30,700
B.	Travel of Independent Expert	
	Travel to Geneva for three working days in 1998 and 1999	$ 8,800
	Travel to the field for five working days in 1988 and 1999	$ 9,600
C.	Travel of OHCHR staff	$ 9,600
D.	Miscellaneous expenses in connection with field missions	$ 3,000
	TOTAL	$ 61,700

2000

A.	Travel of Independent Expert	
	Travel to Geneva for three working days in 2000	$ 4,400
	Travel to the field for five working days in 2000	$ 4,800

B.	Travel of OHCHR staff	$ 4,800
C.	Miscellaneous expenses in connection with field missions	$ 1,500
	TOTAL	$ 15,500

F. Potential for absorption

11. No provision has been made under the programme budget for the biennium 1998-1999 for this purpose. The potential for absorption as well as any net additional resources required would be included in the final programme budget implications statement to be submitted to the Economic and Social Council at its next session, in the context of the Council's review of the report of the fifty-fourth session of the Commission. The resources required for 2000-2001 would be included in the proposed programme budget for that biennium.

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Administrative and programme budget implications of the draft resolution contained in document E/CN.4/1998/L.35 entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

A. Request contained in the resolution

1. Under the terms of paragraph 6 of draft resolution E/CN.4/1998/L.35, the Commission would decide as part of its efforts to impart a higher visibility to economic, social and cultural rights, to appoint, for a period of three years, a special rapporteur whose mandate will focus on the right to education.

2. In paragraph 7 of the same resolution, the Secretary-General is requested to provide the Special Rapporteur with all the assistance necessary for the execution of the mandate.

B. Relationship of request to the programme of work

3. The above-mentioned activity falls under programme 19 (Human Rights), subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of the medium-term plan for the period 1998-2001 (A/51/6/Rev.1).

4. It also falls under subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of Section 22 (Human Rights) of the programme budget for the biennium 1998-1999. It will fall under the same subprogramme in the proposed programme budget for 2000-2001.

C. Activities by which the request would be implemented

5. During the course of 1998, the Special Rapporteur would undertake one trip to Geneva, for a period of three working days, to hold consultations at the Office of the High Commissioner for Human Rights (OHCHR) and review documentation, to meet representatives of Governments as well as of intergovernmental and non-governmental organizations.

6. In 1998, the Special Rapporteur, accompanied by an OHCHR staff member, would undertake one visit to the field for a period of five working days.

7. In 1999, 2000 and 2001, the Special Rapporteur would undertake one mission to Geneva and one mission to the field, of the same duration as in 1998.

8. The substantive servicing of the Special Rapporteur would involve the work of one Professional Officer at the P-3 level for a period of four months in 1998/1999 and two months in 2000.

D. Modification of the programme of work

9. The description of the programme of work under subprogramme 3 of Section 22 of the programme budget for 1998-1999 would be modified through the addition of a reference to a thematic mandate on the right to education, and to the preparation and processing of the related reports, under paragraphs 22.55 and 22.57 (ii) of the programme budget for the biennium 1998-1999. The same reference would be included in the proposed programme budget for 2000-2001.

E. Additional requirements at full cost

10. The preliminary estimated full cost of the above activity is itemized as follows:

Section 22

1998-1999

A.	Staff support for Special Rapporteur	
	Professional (P-3), 4 w/m in 1998/1999	$ 30,700
B.	Travel of Special Rapporteur	
	Travel to Geneva for three working days in 1998 and 1999	$ 8,800
	Travel to the field for five working days in 1988 and 1999	$ 9,600
C.	Travel of OHCHR staff	$ 9,600

D.	Miscellaneous expenses in connection with field missions	$ 3,000
	TOTAL	$ 61,700

2000-2001

A.	Staff support for Special Rapporteur	
	Professional (P-3), 2 w/m in 2000	$ 15,400
B.	Travel of Special Rapporteur	
	Travel to Geneva for three working days in 2000 and 2001	$ 8,800
	Travel to the field for five working days in 2000 and 2001	$ 9,600
C.	Travel of OHCHR staff	$ 9,600
D.	Miscellaneous expenses in connection with field missions	$ 3,000
	TOTAL	$ 46,400

F. Potential for absorption

11. No provision has been made under the programme budget for the biennium 1998-1999 for this purpose. The potential for absorption as well as any net additional resources required would be included in the final programme budget implications statement to be submitted to the Economic and Social Council at its next session, in the context of the Council's review of the report of the fifty-fourth session of the Commission. The resources required for 2000-2001 would be included in the proposed programe budget for that biennium.

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COMMISSION ON HUMAN RIGHTS
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Agenda item 12

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Administrative and programme budget implications of the draft resolution contained in document E/CN.4/1998/L.37 entitled "Racism, racial discrimination, xenophobia and related intolerance"

A. Request contained in the resolution

1. By operative paragraph 17 the Commission would inter alia reiterate its request to the General Assembly to consider the possibility of providing the resources required for the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

2. By operative paragraph 19, the Commission would request the establishment within the Office of the High Commissioner for Human Rights of a focal point for coordinating all activities of the Third Decade to Combat Racism and Racial Discrimination.

3. Under the terms of operative paragraph 44, the Commission would decide to create an open-ended working group which will meet during the fifty-fifth session of the Commission to consider and formulate proposals to be forwarded to the Conference's preparatory committee, for its first session.

4. By operative paragraph 47, the Commission would request the organization of a world information campaign aimed at sensitizing the world public opinion on the Conference and its objectives and, in that context, to publish in all official languages an information pamphlet.

5. By operative paragraph 49, the Commission would request the High Commissioner to help states and regional organizations to convene national and regional meetings to prepare for the World Conference.

6. In operative paragraph 51, the Committee on the Elimination of Racial Discrimination would be mandated to carry out a series of studies relating to the preparatory process leading up to the World Conference.

7. Under operative paragraph 52, the Commission would request the Sub-Commission for the Prevention of Discrimination and Protection of Minorities to carry out studies relating to the preparatory process leading up to the World Conference.

8. In operative paragraph 57, the Commission would request the High Commissioner to prepare a compendium of references to publications and other information on the fight against racism, racial discrimination, xenophobia and related intolerance.

9. Under operative paragraph 59, the Commission would recommend to the High Commissioner to organize, in 1998, 1999, 2000 and 2001, symposiums, seminars and worldwide consultations on racism, racial discrimination, xenophobia and related intolerance.

B. Relationship of request to the programme of work

10. The above-mentioned activity falls under programme 19 (Human Rights), subprogramme 1 (Right to Development, research and analysis) of the medium-term plan for 1998-2001 (A/51/6/Rev.1).

11. It also falls under subprogramme 1 (Right to Development, research and analysis) of Section 22 (Human Rights) of the programme budget for 1998-1999.

C. Activities by which the request would be implemented

12. The activities to be implemented during the Third Decade to Combat Racism and Racial Discrimination (1993-2002) are described in the Programme of Action approved by the General Assembly in resolution 49/146.

13. In this connection, it should be further noted that the responsibility for determining the activities to be financed by the Untied Nations regular budget and the level of resources for these activities is within the purview of the Fifth Committee of the General Assembly, in accordance with the rules of procedures of the Assembly and the existing budgetary process established by the General Assembly in resolution 41/213 and 42/211, and reconfirmed by the General Assembly in resolution 45/248 B, section VI, whereby the Assembly (i) reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters; (ii) reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions; (iii) expressed its concern at the tendency of its substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters; and (iv) invited the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters.

14. Regarding the establishment of a focal point within OHCHR to coordinate all activities of the Third Decade to Combat Racism and Racial Discrimination, it is recalled that one Professional and one General Service position were approved by the General Assembly in the context of the programme budget for the biennium 1996-1997 and continued under the programme budget for 1998-1999 in order to perform this function.

15. Concerning the creation of an open-ended working group to consider and formulate proposals to be forwarded to the Conference's first preparatory committee, the substantive servicing of the Working Group would be provided by the staff of the Office of the High Commissioner for Human Rights and its costs absorbed from existing resources under Section 22 (Human Rights) of the 1998-1999 programme budget. The conference servicing requirements would be covered from within existing resources under Section 27E (Conference Services) of the 1998-1999 programme budget.

16. The costs related to the production and translation of the pamphlet are estimated at US$ 15,200 and could be accommodated within existing resources under the programme budget for the biennium 1998-1999.

17. The organization of national and regional meetings to prepare for the World Conference, a process which OHCHR is expected to assist, would involve the engagement of five consultants, one for each region, for three months each to prepare background papers. The costs associated with this activity during the 1998-1999 biennium are estimated at US$ 150,000.

18. The conduct, by the Committee on the Elimination of Racial Discrimination, of a series of studies relating to the preparatory process leading up to the World Conference, would require the engagement of two consultants for a period of three months each. The costs associated with this activity during the 1998-1999 biennium are estimated at US$ 60,000.

19. The studies requested from the Sub-Commission relating to the preparatory process leading up to the World Conference would require the engagement of two consultants for a period of three months each. The costs associated with this activity during the 1998-1999 biennium are estimated at US$ 60,000.

20. The preparation of a compendium of references to publications and other information on the fight against racism, racial discrimination, xenophobia and related intolerance would be produced by the United Nations and would be absorbed within existing resources under Section 27E (Conference Services) of the programme budget for 1998-1999.

21. As regards the organization, in 1998 and 1999, of symposiums, seminars and worldwide consultations on racism, racial discrimination, xenophobia and related intolerance, each of these activities would be costed as they are prepared, would be funded from voluntary contributions received under the Trust Fund for the Third Decade to Combat Racism and Racial Discrimination, if they can be secured.

D. Modification of the programme of work

22. The relevant paragraphs concerning the programme of work under subprogramme 1 of Section 22 of the programme budget for 1998-1999 would be modified through the addition of references to the preparatory activities leading up to the proposed World Conference on Racism which would take place in 2001.

E. Additional requirements at full cost

23. The preliminary estimated full cost of the above activity is itemized as follows:

Section 22

A.	Consultants	
-	Fees for five consultants (one for each region) for three months each, to prepare background papers for national and regional meetings to prepare for the World Conference	$ 117,000
-	Travel costs for the above	$ 33,000
-	Fees for two consultants to assist the Committee on the Elimination of Racial Discrimination to carry out a series of studies related to the preparatory process of the World Conference (three months each)	$ 46,800
-	travel costs for the above	$ 13,200
-	Fees for two consultants to assist the Sub-Commission to carry out a series of studies relating to the preparatory process of the World Conference (three months each)	$ 46,800
-	Travel for the above	$ 13,200
	TOTAL	$ 270,000

F. Potential for absorption

24. It should be recalled that under the terms of the programme budget implications statement (A/C.3/52/L.74) submitted in connection with General Assembly resolution 52/111 the activities relating to the convening of the World Conference were envisaged to be implemented in 2000-2001. Therefore, no additional appropriation would be required under the proposed programme budget for the biennium 1998-1999 for the activities requested in that resolution. Accordingly, should the Commission decide to adopt draft resolution E/CN.4/1998/L.37, all the preparatory activities envisaged therein would be implemented if adequate extra-budgetary resources would be secured for the purpose.

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Agenda item 17

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Administrative and programme budget implications of the draft resolution contained in document E/CN.4/1998/L.71 entitled "Situation of human rights in Cambodia"

A. Requests contained in the resolution

1. Under the terms of paragraph 20 of draft resolution E/CN.4/1998/L.71, the Commission on Human Rights would request the Secretary-General to examine the possibility of the appointment of a group of experts to evaluate the existing evidence and propose further measures, as a means of bringing about national reconciliation, strenthening democracy and addressing the issue of individural accountability.

B. Relationship of requests to the programme of work

2. The above-mentioned activity falls under programme 19 (Human Rights), subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of the medium-term plan for 1998-2001 (A/51/6/Rev.1).

3. It also falls under subprogramme 3 (Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities) of Section 22 (Human Rights) of the programme budget for the biennium 1998-1999.

C. Activities by which the request would be implemented

4. Request as contained in paragraph 20: during the course of 1998, the Group of Expert, consisting of three experts from Australia, Southern Africa, and Northern America, would undertake one trip to the Hague, for a period of 7 working days, to hold consultations at the International Criminal Tribunal.

5. In 1998, the Group of Expert would undertake one visit to Cambodia for a period of ten working days.

D. Modification of the programme of work

6. The description of the programme of work under subprogramme 3 of Section 22 of the programme budget for 1998-1999 would be modified through the addition of a reference.

E. Additional requirements at full cost

7. The prelimary estimated full cost of the above activity is itemized as follows:

Section 22

A.	Fees and Travel of Group of Experts	
	Fees for 1 w/m for 3 experts	$ 23,400
	Travel to the Hague for 7 working days in 1998	$ 6,500
	Travel to Cambodia for 10 working days in 1988	$ 13,500
B.	Miscellaneous expenses in connection with field missions	$ 3,000
	TOTAL	$ 46,400

F. Potential for absorption

8. No provision has been made under the programme budget for the biennium 1998-1999 for this purpose. The Secretary-General will review the possibility of funding this activity from extra-budgetary resources under existing trust funds of the Office of the High Commissioner for Human Rights. Should it not be possible to identify extra-budgetary resources for this purpose, the potential for absorption as well as any net additional resources required under the regular budget would be included in the final programme budget implication statement to be submitted to the next session of the Economic and social Council in the context of the Council's review of the report of the fifty-fourth session of the Commission.

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Australia*, Austria, Belgium*, Bulgaria*, Canada, Costa Rica*, Czech Republic, Denmark, Estonia*, Finland*, France, Germany, Greece*, Hungary*, Iceland*, Ireland, Italy, Latvia*, Liechtenstein*, Lithuania*, Luxembourg, Netherlands*, Norway*, Poland, Portugal*, Romania*, Slovakia*, Slovenia*, Spain*, Sweden*, Switzerland*, United Kingdom of Great Britain and Northern Ireland, and the United States of America: draft resolution

1998/... Situation of human rights in the Islamic Republic of Iran

The Commission on Human Rights,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional Commissions of the Economic and Social Council.

Recalling previous resolutions of the General Assembly and the Commission on Human Rights on the subject, the most recent of which are Assembly resolution 52/142 of 12 December 1997 and Commission resolution 1997/54 of 15 April 1997,

1. Welcomes:

(a) The report of the Special Representative of the Commission (E/CN.4/1998/59 and Corr.1);

(b) The stated commitment of the Government of the Islamic Republic of Iran to encourage respect for the rule of law and its emphasis on the development of a society in which human rights are fully respected and in which a civil society flourishes;

(c) Improvements in the area of freedom of expression, particularly in the media and cultural fields, and in the authorities' willingness to allow more public demonstrations;

2. Notes with interest:

(a) The holding of presidential elections in the Islamic Republic of Iran in 1997, and in this context calls upon the Government to meet expectations for tangible progress concerning human rights and fundamental freedoms of individuals;

(b) The establishment of the Commission for Ensuring and Supervising the Implementation of the Constitution with a remit to address any shortcomings in the implementation or any violation of the Constitution;

(c) Positive statements by the Government of the Islamic Republic of Iran about the need to review laws and attitudes which discriminate against women, and the appointment of Iran's first woman Vice-President and of four female judges;

(d) The observation of the Special Representative about the increased willingness of the Iranian authorities to criticize and clamp down on extrajudicial groups who attempt to curtail freedom of expression;

(e) The initiative of the Islamic Human Rights Commission in investigating incidents of concern, and the view of the Special Representative that these moves represent an important step in the strengthening of human rights in Iran;

(f) The registration of certain non-governmental organizations, as well as a journalists' association;

3. Expresses its concern:

(a) That in spite of this progress, human rights continue to be violated in the Islamic Republic of Iran, in particular the large number of executions in the apparent absence of respect for internationally recognized safeguards, cases of torture and cruel, inhuman or degrading treatment or punishment, including amputation, stoning and public executions, the failure to meet international standards in the administration of justice and the absence of due process of law;

(b) At the lack of transparency in the judicial system which makes it difficult for Iranian and foreign observers to establish accurately the situation of individuals, such as Mr. Morteza Firouzi, accused of crimes;

(c) At continuing grave violations of the human rights of the Baha'is, as well as the discrimination against members of other religious minorities, including Christians, despite constitutional guarantees, the increased pressure on religious communities and persons suspected of proselytizing, and the death sentences pronounced against Mr. Dhabihullah Mahrami and Mr. Musa Talibi on the charge of apostasy, and against Mr. Bihnam Mithaqi and Mr. Kayvan Khalajabadi because of their beliefs;

(d) At the lack of continuity in the cooperation of the Government with the mechanisms of the Commission on Human Rights, particularly the failure of the Government of the Islamic Republic of Iran to invite the Special Representative to visit Iran in the period under review, and the low rate of response by the Government to communications from the Special Representative;

(e) At the continuing threats to the life of Mr. Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran, and deeply regrets the failure of the Government of the Islamic Republic of Iran to condemn the bounty offered for the assassination of Mr. Rushdie by the 15 Khordad Foundation;

(f) At the apparent reluctance of the Iranian authorities to prosecute and punish those who commit violence against critics of the Government;

(g) At the continued harassment and intimidation of some journalists and writers, and of political and religious dissidents seeking to exercise their freedom of expression;

(h) At the continued lack of full and equal enjoyment by women of human rights;

4. Calls upon the Government of the Islamic Republic of Iran:

(a) To continue its positive efforts and to build upon its commitment to consolidate respect for the rule of law and allow greater freedom of expression;

(b) To abide by its freely undertaken obligations under the International Covenants on Human Rights and under other international instruments on human rights, and to ensure that all individuals within its territory and subject to its jurisdiction, including members of religious groups and persons belonging to minorities, enjoy all the rights enshrined in those instruments;

(c) To take all necessary steps to end the use of torture and the practice of amputation, stoning and other forms of cruel, inhuman and degrading punishment;

(d) To resume its cooperation with the mechanisms of the Commission on Human Rights, in particular with the Special Representative, to allow him to continue his inquiry first-hand and to continue his dialogue with the Government;

(e) To implement fully the conclusions and recommendations of the Special Rapporteur on religious intolerance relating to the Baha'is, Christians and other minority religious groups, until they are completely emancipated;

(f) To increase efforts to bring into line with announced government policy on freedom of expression the activities of various elements in the judiciary and the security services, as well as extrajudicial groups, which are resisting positive changes and consequently the strengthening of human rights;

(g) To build on the progress made in the last year by taking further measures to eliminate discrimination and human rights violations against women, including all discrimination in law and in practice against them, for example by amending article 1117 of the Civil Code, which subjects the taking up of a profession by women to the prior consent of their husbands, and which has been criticized by the International Labour Organization;

(h) To refrain from violence against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and prosecuting offences;

(i) To provide satisfactory written assurances that it does not support or incite threats to the life of Mr. Salman Rushdie;

(j) To ensure that capital punishment will not be imposed for non-violent crimes, for apostasy, or otherwise in disregard of the provisions of the International Covenant on Civil and Political Rights and the United Nations safeguards;

(k) To provide the Special Representative with precise information on the protection of human rights within the drug interdiction policy of the Islamic Republic of Iran;

(l) To embark on a process to bring the Islamic Human Rights Commission into line with the 1993 Principles relating to the status of national institutions for the promotion and protection of human rights, which establish benchmarks for the competence of national institutions as well as their composition, the appointment of members, the guarantee of independence and pluralism, and on methods of operation;

5. Decides:

(a) To extend the mandate of the Special Representative, as contained in Commission resolution 1984/54 of 14 March 1984, for a further year, and requests the Special Representative to submit an interim report to the General Assembly at its fifty-third session and to report to the Commission at its fifty-fifth session, and to keep a gender perspective in mind when seeking and analysing information;

(b) To request the Secretary-General to continue to give all necessary assistance to the Special Representative to enable him to discharge his mandate fully;

(c) To continue its examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is and Christians, at its fifty-fifth session under the same agenda item;

6. Recommends the following draft decision to the Economic and Social Council for adoption:

"The Economic and Social Council, taking note of Commission on Human Rights resolution 1998/... of ... April 1998, endorses the Commission's decision to extend the mandate of the Special Representative on the situation of human rights in the Islamic Republic of Iran, as contained in Commission resolution 1984/54 of 14 March 1984, for a further year, and requests the Special Representative to submit an interim report to the General Assembly at its fifty-third session and to report to the Commission at its fifty-fifth session, and to keep a gender perspective in mind when seeking and analysing information. The Council requests the Secretary-General to continue to give the Special Representative all necessary assistance to enable him to discharge him mandate fully."

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COMMISSION ON HUMAN RIGHTS
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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Senegal (on behalf of the African Group): draft resolution

1998/... The situation of human rights in Rwanda

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide and other applicable human rights and humanitarian law standards,

Recalling its resolutions S-3/1 of 25 May 1994, 1995/91 of 8 March 1995, 1996/76 of 23 April 1996 and 1997/66 of 16 April 1997,

Reaffirming that the protection and promotion of human rights are necessary for sustaining the process of national reconstruction and reconciliation in Rwanda,

Noting with satisfaction the commitment of the Government of Rwanda to promote and protect respect for human rights and fundamental freedoms as well as eliminate impunity, the progress made towards the development of a State governed on the basis of the rule of law, and efforts undertaken to consolidate peace and stability and promote unity and reconciliation,

Noting the massive return to the country from the Democratic Republic of the Congo and the United Republic of Tanzania of more than one million Rwandan refugees and welcoming the efforts made by the Government to resettle and reintegrate those refugees,

Welcoming the ongoing rehabilitation of the judicial system of Rwanda, recognizing the need for the continuation of prosecution by national jurisdictions of those suspected of having committed the crime of genocide and the massacres in Rwanda, and concerned by the very large number of detainees awaiting trial,

1. Takes not with satisfaction of the report on the situation of human rights in Rwanda (E/CN.4/1998/60) of the Special Representative of the Commission on Human Rights, the report (E/CN.4/1998/61) of the United Nations High Commissioner for Human Rights on the activities of the Human Rights Field Operation in Rwanda and the report (E/CN.4/1998/54/Add.1) of the Special Rapporteur on violence against women;

2. Commends the Government of Rwanda for the cooperation and assistance extended to the Special Representative and the Special Rapporteur on violence against women, and noting its cooperation with the Human Rights Field Operation in Rwanda;

3. Encourages further efforts of the Government of Rwanda to build a State based on the guarantee of respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and other relevant international human rights instruments;

4. Reiterates its strong condemnation of the crime of genocide, crimes against humanity and all other violations of human rights perpetrated in Rwanda, and expresses its concern at the continuation of human rights violations in Rwanda;

5. Reaffirms that all persons who committed or authorized acts of genocide or other grave violations of human rights and international humanitarian law are individually responsible and accountable for those violations;

6. Urges the Government of Rwanda to give utmost priority to the prosecution and punishment of crimes of sexual violence committed against women, in line with the recommendations of the Special Rapporteur on violence against women;

7. Strongly condemns continuing violence and genocidal activities perpetrated in Rwanda by former members of the Rwandan armed forces, Interahamwe and other insurgent groups, and notes with concern the negative

impact they may have on the efforts of the Government of Rwanda to consolidate peace and security and achieve national unity, reconciliation and reconstruction;

8. Condemns the illegal sale and distribtution of arms which undermines peace and stability in Rwanda and the region;

9. Encourages the Government of Rwanda to continue to investigate and prosecute violations of human rights and humanitarian law committed by individual members of the security forces in the course of military operations against insurgent groups including through strengthening the Military Prosecutor's office, with assistance from donor States;

10. Affirms the importance it attaches to the safety of the staff of the United Nations and other humanitarian workers serving in Rwanda;

11. Welcomes the draft Law on Matrimonial Property and Succession now under consideration in Rwanda and encourages the Government of Rwanda to continue its efforts to improve the welfare, status and role of women, especially genocide survivors and returnees, in Rwandan society, with particular attention to matters concerning property;

12. Reiterates its sympathy and solidarity with genocide survivors, commends the Government of Rwanda for establishing a fund to assist them, commends those Governments that have contributed to the fund and urges other States to contribute generously;

13. Commends the work carried out by the Human Rights Field Operation in Rwanda and welcomes the ongoing review of its role, priority and functions;

14. Expresses its deep concern regarding the conflict in the north-west of Rwanda and recognizes the need to improve monitoring of human rights abuses in that region, in particular by strengthening national human rights monitoring capacity;

15. Notes the progress made by the Government of Rwanda in establishing a national human rights commission;

16. Encourages the Government of Rwanda to facilitate a broad public debate on how a national human rights commission can be made an independent and effective institution, established by law and based on recognized international norms;

17. Requests the international community to provide financial and technical support necessary for the reconstruction of human rights infrastructrure generally and the effective functioning of a national human rights commission in particular;

18. Welcomes the continuation of the trials of those suspected of genocide and crimes against humanity in Rwanda and the improvements that have been made in the trial process, and stresses the need for continued efforts by the Government of Rwanda to further strengthen fair trial guarantees;

19. Expresses concern that perpetrators of the genocide and other gross violations of human rights continue to evade justice;

20. Reiterates its request that all States cooperate fully with the International Tribunal for Rwanda and the Government of Rwanda in ensuring that all those responsible for the crime of genocide, crimes against humanity and other grave violations of human rights are brought to justice in accordance with international principles of due process;

21. Expresses concern at the slow rate of progress in the proceedings of the International Tribunal for Rwanda and encourages further measures to speed up proceedings;

22. Reiterates its concern at the conditions of detention in some detention centres, emphasizes the need for greater attention and resources to be directed to this problem and again urges the international community to assist the Government of Rwanda in this area;

23. Welcomes and encourages the efforts of the Government of Rwanda to reduce the prison population by releasing minors, elderly prisoners, prisoners suffering from terminal illnesses and suspects with incomplete files, and affirms the urgent need to complete a dossier for every detainee with a view to identifying those who should be released immediately, early or conditionally;

24. Reiterates its appeal to the international community to provide financial and technical assistance to the Government of Rwanda to help strengthen the administration of justice, including as regards adequate access to legal representation, to prosecute those responsible for genocide and other violations of human rights and to promote the rule of law in Rwanda, and notes with appreciation assistance already provided by the donor community;

25. Recommends that the international community continue to provide development assistance for the reconstruction and long-term stability of Rwanda;

26. Welcomes the commitment of the Government of Rwanda to promoting national unity and reconciliation and calls upon the Government to continue its efforts in that field;

27. Commends the Special Representative for his work, decides to extend his mandate for a further year, requests him to report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session, in accordance with his mandate, and requests the Secretary-General to provide him with such financial assistance as he may require;

28. Calls for close consultation between the Special Representative and the Government of Rwanda regarding the functioning of the future national human rights Commission;

29. Requests the United Nations High Commissioner for Human Rights to submit reports on the work of the Human Rights Field Operation in Rwanda and on the implementation of the present resolution to the Commission on Human Rights at its fifty-fifth session and to the General Assembly at its fifty-third session;

30. Recommends the following draft decision to the Economic and Social Council for adoption:

> "The Economic and Social Council, taking note of Commission on Human Rights resolution 1998/... of .. April 1998, endorses the Commission's decision to extend the mandate of the Special Representative on the situation of human rights in Rwanda for a further year and requests him to report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session, in accordance with his mandate. The Council requests the Secretary-General to provide him with such financial assistance as he may require to discharge his mandate."

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Senegal (on behalf of the African Group): draft resolution

1998/... Situation of human rights in Burundi

The Commission on Human Rights,

Mindful of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming its commitment to respect for the principles of the rule of law, which involve democracy, national unity, pluralism and respect for human rights and fundamental freedoms,

Stressing that all States have the duty to promote and protect human rights and to fulfil their obligations under the various instruments to which they are parties,

Considering Security Council resolution 1072 (1996) of 30 August 1996,

Recalling its resolution 1997/77 of 18 April 1997,

Recalling also that the primary responsibility for peace lies with the people of Burundi,

Acknowledging the efforts made by the United Nations, the Organization of African Unity and the European Union aimed at contributing to a peaceful settlement of the Burundian crisis,

Acclaiming the decision of the Government of Burundi to launch a comprehensive peace process whose main objective is the initiation of political negotiations open to all parties,

Welcoming the decision of the Government of Burundi to commit itself to the Arusha process whose main objective is the resumption of negotiations open to all parties,

Considering that effective action to prevent further violations of human rights and fundamental freedoms is indispensable in promoting the stabilization and reconstruction of Burundi and the lasting restoration of the rule of law,

Recognizing the important role of women in the reconciliation process and search for peace, and urging the Government of Burundi to ensure the equal participation of women in Burundian society and to improve their living conditions,

Taking into account the regional summits, including those held in Arusha, Nairobi and Brazzaville, on the situation in the Great Lakes region, and in Burundi in particular,

Considering the decisions, conclusions and recommendations adopted by the Council of Ministers of the Organization of African Unity in Tripoli,

1. Takes note of the third report of the Special Rapporteur on the situation of human rights in Burundi (E/CN.4/1988/72) and of his report to the General Assembly (A/52/505);

2. Takes note of the efforts exerted by the Government of Burundi to improve security and public order in the country;

3. Encourages the countries which imposed sanctions on Burundi to continue to evaluate the effects of the sanctions on the situation in Burundi;

4. Notes the action directed towards progressive closing down of the regroupment camps and return of displaced persons to their villages, as and when security conditions so permit;

5. Encourages the Government of Burundi to continue its actions aimed at associating all sectors of Burundian society in the work of national reconciliation and at the restoration of a constitutional order so as to bring back democracy and peace in the interest of the Burundian population;

6. Encourages the dialogue initiated between the Government of Burundi and the National Assembly to decide upon a mutually agreed transitional period, and also dialogue between Burundians, including the armed factions;

7. Urges all parties to the conflict to end the cycle of violence and killing, notably the indiscriminate violence against the civilian population;

8. Exhorts the parties to the conflict to refrain strictly from any act such as would hamper the activities of the International Committee of the Red Cross and other humanitarian assistance operations in aid of war victims;

9. Takes note of the efforts of the Government of Burundi aimed at ensuring that established legal safeguards for human rights and international human rights standards are fully respected;

10. Invites the Government of Burundi to take more measures in the judicial sphere to put an end to impunity, in particular by bringing to trial those responsible for violations of human rights and of international humanitarian law, even though the encouraging results obtained in this sphere have been limited;

11. Welcomes the efforts of the Government of Burundi to ensure the safety of staff of the United Nations and humanitarian organizations and that of individuals in Burundi serving in the same cause;

12. Supports the efforts of the mediators of the United Nations, the Organization of African Unity and the European Union in the search for a lasting solution to the problems of Burundi;

13. Calls upon all parties to the conflict in Burundi to work constructively with the international mediators in the search for a lasting peace;

14. Encourages the Organization of African Unity in its efforts, particularly through its Mechanism for Conflict Prevention, Management and Resolution, to remain engaged in preventing the further deterioration of the situation;

15. Calls upon the international community to continue to provide humanitarian assistance needed by displaced persons and returnees in Burundi, so that the peace process initiated in the country may become a tangible sign of reconciliation;

16. Condemns the illegal sale and distribution of weapons and related materials which disturb peace and security in the region;

17. Requests States not to allow their territories to be used as bases for incursions or attacks against another State, in violation of the principles of international law, including the Charter of the United Nations;

18. Supports the implementation by the United Nations High Commissioner for Human Rights of a programme of assistance designed for members of the armed forces and the police in the field of human rights and legal assistance;

19. Decides to extend the mandate of the Special Rapporteur for one year and requests him to submit an interim report on the situation of human rights in Burundi to the General Assembly at its fifty-third session, and a report to the Commission at its fifty-fifth session.

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Senegal (on behalf of the African Group): draft resolution

1998/... Situation of human rights in Burundi

The Commission on Human Rights,

Mindful of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming its commitment to respect for the principles of the rule of law, which involve democracy, national unity, pluralism and respect for human rights and fundamental freedoms,

Stressing that all States have the duty to promote and protect human rights and to fulfil their obligations under the various instruments to which they are parties,

Considering Security Council resolution 1072 (1996) of 30 August 1996,

Recalling its resolution 1997/77 of 18 April 1997,

Noting with concern that violations of human rights and fundamental freedoms have taken place in several parts of the country,

Recalling that the primary responsibility for peace lies with the Government and people of Burundi,

Acknowledging the efforts made by the United Nations, the Organization of African Unity and the European Union aimed at contributing to a peaceful settlement of the Burundian crisis,

Acclaiming the decision of the Government of Burundi to launch a comprehensive peace process whose main objective is the initiation of nationwide political negotiations open to all parties,

Welcoming the decision of the Government of Burundi to commit itself to the Arusha process whose main objective is the resumption of negotiations open to all the parties concerned,

Considering that effective action to prevent further violations of human rights and fundamental freedoms is indispensable in promoting the stabilization and reconstruction of Burundi and the lasting restoration of the rule of law,

Recognizing the important role of women in the reconciliation process and search for peace, and urging the Government of Burundi to ensure the equal participation of women in Burundian society and to improve their living conditions,

Taking into account the regional summits, including those held in Arusha, Nairobi and Brazzaville, on the situation in the Great Lakes region, and in Burundi in particular,

Considering the decisions, conclusions and recommendations adopted by the Council of Ministers of the Organization of African Unity in Tripoli,

1. Takes note of the third report of the Special Rapporteur on the situation of human rights in Burundi (E/CN.4/1988/72) and of his report to the General Assembly (A/52/505);

2. Takes note of the efforts exerted by the Government of Burundi to improve security and public order in the country, but expresses its concern at actions which sometimes lead to human rights violations;

3. Encourages the countries which imposed sanctions on Burundi to continue to evaluate the effects of the sanctions on the situation in Burundi;

4. Takes note of the process of closing down of the regroupment camps and exhorts the Government of Burundi to close down all the remaining regroupment camps in order to allow the return of displaced persons to their villages, as and when the situation permits;

5. Encourages the Government of Burundi to continue its actions aimed at associating all sectors of Burundian society in the work of national reconciliation and at the restoration of a constitutional order so as to bring back democracy and peace in the interest of the Burundian population;

6. Encourages the dialogue initiated between the Government of Burundi and the National Assembly to decide upon a mutually agreed transitional period, and also dialogue between Burundians, including the armed factions, with a view to putting in place new, democratically elected institutions;

7. Urges all parties to the conflict to end the cycle of violence and killing, notably the indiscriminate violence against the civilian population;

8. Expresses its concern at the forcible recruitment and kidnapping of children by non-governmental armed groups, and invites the Government of Burundi to take measures to combat that trend having in mind the non-militarization of Burundian society, particularly the children;

9. Exhorts the parties to facilitate humanitarian assistance operations in aid of war victims and to comply scrupulously with international humanitarian law;

10. Notes that the Government of Burundi has not yet published the findings of the inquiries conducted into the murder of three staff members of the International Committee of the Red Cross which took place on 4 June 1996 and again exhorts the Government to publish the findings of those inquiries;

11. Takes note of the efforts of the Government of Burundi aimed at ensuring that established legal safeguards for human rights and international human rights standards are fully respected and calls upon the Government to continue its efforts to that end;

12. Notes with concern the conditions of detention, in particular of persons liable to the death penalty, and encourages the Government to take more measures to rectify the situation;

13. Invites the Government of Burundi to take more measures, including in the judicial sphere, to put an end to impunity, in particular by bringing to trial those responsible for violations of human rights and of international humanitarian law, in accordance with relevant international principles, and urges the Government to accelerate the specific procedures for inquiries in case of violation of those rights;

14. Expresses its deep concern at the serious violations of human rights and international humanitarian law, in particular with regard to information reporting massacres, enforced or involuntary disappearances, and arbitrary arrests and detention, while also taking note of the encouraging signs in the combat against impunity and for the promotion of human rights on the part of the Government of Burundi;

15. Expresses its concern at the utilization, by the authorities, of civilians for military tasks such as participation in night patrols, mine-clearance campaigns or transport of military material, thereby putting the civilian population in danger;

16. Welcomes the efforts of the Government of Burundi to ensure the safety of staff of the United Nations and humanitarian organizations and that of individuals in Burundi serving in the same cause;

17. Commends the human rights observer mission in Burundi for the activities it is conducting in the field, welcomes the cooperation afforded to it by the Government of Burundi, and calls for the strengthening of that observer mission through voluntary contributions;

18. Supports the efforts of the mediators of the United Nations, the Organization of African Unity and the European Union in the search for a lasting solution to the problems of Burundi;

19. Calls upon all parties to the conflict in Burundi to work constructively with the international mediators in the search for a lasting peace;

20. Encourages the Organization of African Unity in its efforts, particularly through its Mechanism for Conflict Prevention, Management and Resolution, to remain engaged in preventing the further deterioration of the situation;

21. Expresses its concern at the large number of incidents as a result of which persons are injured or killed by the explosion of anti-personnel landmines and calls upon the Government of Burundi to take urgent measures, if necessary with the assistance of the international community, to prepare a programme of mine clearance and a public awareness campaign concerning mines;

22. Calls upon the international community to continue to provide humanitarian assistance needed by displaced persons and returnees in Burundi, so that the peace process initiated in the country may become a tangible sign of reconciliation;

23. Condemns the illegal sale and distribution of weapons and related materials which disturb peace and security in the region;

24. Requests States not to allow their territories to be used as bases for incursions or attacks against another State, in violation of the principles of international law, including the Charter of the United Nations;

25. Supports the implementation by the United Nations High Commissioner for Human Rights of a programme of assistance designed for members of the armed forces and the police in the field of human rights and legal assistance;

26. Decides to extend the mandate of the Special Rapporteur for one year and ask him to submit an interim report on the situation of human rights in Burundi to the General Assembly at its fifty-third session, and a report to the Commission at its fifty-fifth session, requesting him to give his work a gender-specific dimension.

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COMMISSION ON HUMAN RIGHTS
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FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS

Argentina, Austria, Bangladesh, Belarus, Bulgaria*, Canada, Cape Verde, Chile, Costa Rica*, Denmark, Dominican Republic*, Ethiopia*, Finland*, France, Georgia*, Germany, Greece*, Guatemala, Haiti*, Hungary*, India, Ireland, Italy, Japan, Latvia*, Liechtenstein*, Lithuania*, Luxembourg, Nicaragua*, Norway*, Poland, Portugal*, Republic of Korea, Romania*, Senegal, Slovakia*, Slovenia*, Spain*, Sweden*, Switzerland*, the former Yugoslav Republic of Macedonia*, Ukraine, Venezuela and Zambia*:

draft resolution

1998/... Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

The Commission on Human Rights,

Recalling General Assembly resolution 48/121 of 20 December 1993, in which the Assembly endorsed the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, as well as subsequent resolutions of the Assembly and of the Commission on this matter, in particular General Assembly resolution 52/148 of 12 December 1997,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Considering that the promotion of universal respect for and observance of all human rights and fundamental freedoms for all is one of the basic purposes of the Charter of the United Nations and one of the main priorities of the Organization,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Convinced that the Vienna Declaration and Programme of Action has to be translated into effective action by States, the competent United Nations organs and organizations and other organizations concerned, including non-governmental organizations,

Recalling part II, paragraph 100, of the Vienna Declaration and Programme of Action concerning the five-year review of progress made in the implementation of the Vienna Declaration and Programme of Action, to be carried out in 1998, in which the World Conference on Human Rights, inter alia, requested the Secretary-General to invite, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, all States and all organs and agencies of the United Nations system related to human rights to report to him on the progress made in the implementation of the Vienna Declaration and Programme of Action,

Recalling also that regional and, as appropriate, national human rights institutions, as well as non-governmental organizations, may present their views to the Secretary-General on the progress made in the implementation of the Vienna Declaration and Programme of Action, and that special attention should be paid to assessing the progress towards the goal of universal ratification of international human rights treaties and protocols adopted within the framework of the United Nations,

Bearing in mind that the five-year implementation review of the Vienna Declaration and Programme of Action provides an opportunity to strengthen the promotion and protection of human rights worldwide, review and assess progress made in human rights protection since the adoption of the Universal Declaration and the Vienna Declaration and Programme of Action, and consider ways and means to further develop the United Nations human rights programme to meet current and future challenges,

Recognizing that the interdependence of democracy, development and respect for human rights, as stated in the Vienna Declaration and Programme of Action, requires a comprehensive and integrated approach to the promotion and

protection of human rights and that adequate inter-agency cooperation and coordination are essential in order to ensure such a fully integrated approach throughout the United Nations system,

Welcoming the fact that the call of the World Conference on Human Rights for a United Nations system-wide approach to human rights issues has been reflected in the recommendations of major international conferences organized by the United Nations in the economic, social and related fields,

Noting the ongoing efforts to ensure a coordinated follow-up to major international conferences in the economic, social and related fields, as most recently addressed in Economic and Social Council resolution 1997/61 of 25 July 1997 on the integrated and coordinated implementation and follow-up of the major United Nations conferences and summits,

Recalling that each year the Economic and Social Council shall carry out, within the framework of its coordination segment, a review of cross-cutting themes common to major international conferences and/or contribute to an overall review of the implementation of the programme of action of a United Nations conference, in accordance with agreed conclusions 1995/1 of the Economic and Social Council,

Recalling Economic and Social Council decision 1998/208 of 6 February 1998 to devote the coordination segment of the Council at its substantive session of 1998 to the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action,

Noting General Assembly resolution 52/148 in which the Assembly, inter alia, decided to review at its fifty-third session, as foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action, the progress made in the implementation of the Vienna Declaration and Programme of Action,

1. Takes note with appreciation of the interim report of the United Nations High Commissioner for Human Rights on the five-year review of the implementation of the Vienna Declaration and Programme of Action (E/CN.4/1998/104);

2. Welcomes the contributions made so far by Governments, United Nations bodies and organizations and other organizations, and calls upon the High Commissioner to make these and subsequent contributions available to the General Assembly at its fifty-third session;

3. Reaffirms the importance of the promotion of universal respect for and observance and protection of all human rights and fundamental freedoms in accordance with the Charter of the United Nations, as expressed in the Vienna Declaration and Programme of Action;

4. Calls upon all States to take further action with a view to the full realization of all human rights for all in the light of the recommendations of the Conference;

5. Recognizes that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

6. Requests the United Nations High Commissioner for Human Rights, the General Assembly, and other organs and bodies of the United Nations system related to human rights to take further action with a view to the full implementation of all the recommendations of the Conference;

7. Welcomes the decision of the General Assembly to review at its fifty-third session, as foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action, the progress made in the implementation of the Vienna Declaration and Programme of Action;

8. Recalls that, in accordance with part II, paragraph 100, of the Vienna Declaration and Programme of Action, the High Commissioner has invited Governments and United Nations agencies and programmes related to human rights to provide reports on the progress made in the implementation of the recommendations adopted by the World Conference, and has invited regional and, as appropriate, national human rights institutions, as well as non-governmental organizations, to present their views in this regard;

9. Welcomes with appreciation the preparations and contributions made so far for the five-year implementation review of the Vienna Declaration and Programme of Action and calls upon all States to contribute actively to this process;

10. Encourages once again regional and national human rights institutions as well as non-governmental organizations to present, on that occasion, their views on the progress made in the implementation of the Vienna Declaration and Programme of Action;

11. Welcomes Economic and Social Council decision 1998/208 to devote the coordination segment of the Council at its substantive session of 1998 to

the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action, as part of the five-year review foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action, and calls upon all United Nations programmes and agencies to participate actively in this process;

12. Underlines the need to give particular attention to the human rights of women and the girl child in the five-year review of the Vienna Declaration and Programme of Action, taking into account that gender mainstreaming is a key strategy for achieving equality between women and men and the full enjoyment of all human rights by women;

13. Emphasizes the important role of the United Nations High Commissioner for Human Rights in the system of the United Nations human rights organs, as defined in General Assembly resolution 48/141, including her role in the process of analysis of the functioning of the United Nations human rights machinery and its adaptation to current and future needs;

14. Requests the High Commissioner for Human Rights to continue to coordinate the human rights promotion and protection activities throughout the United Nations system, as set out in General Assembly resolution 48/141, including through a permanent dialogue with the United Nations programmes and agencies whose activities deal with human rights;

15. Invites the Administrative Committee on Coordination to continue to discuss the implications of the Vienna Declaration and Programme of Action for the United Nations system, with the participation of the High Commissioner, in particular in the context of the 1998 five-year review;

16. Urges all States and the United Nations system to give widespread publicity to the Vienna Declaration and Programme of Action, in particular in the context of the public information and human rights education activities for the fiftieth anniversary of the Universal Declaration of Human Rights, including through training programmes, human rights education and public information, in order to promote increased awareness of all human rights and fundamental freedoms;

17. Decides to continue the consideration of this question at its fifty-fifth session.

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Agenda item 10

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Senegal (on behalf of the African Group): draft resolution

1998/... Situation of human rights in Equatorial Guinea and assistance in the field of human rights

The Commission on Human Rights,

Recalling its resolution 1997/67 of 16 April 1997,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming that all States have the obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Considering that, since the adoption by the Economic and Social Council of its decision 1993/277 of 28 July 1993 and the appointment of Mr. Alejandro Artucio as Special Rapporteur of the Commission on Human Rights, the Government of Equatorial Guinea has benefited from the advisory services of the Office of the High Commissioner for Human Rights, and that the Special Rapporteur has again observed progress in the field of human rights and fundamental freedoms in his reports (E/CN.4/1996/67 and Add.1, E/CN.4/1997/54 and Add.1 and E/CN.4/1998/73 and Add.1),

Taking note of the observation of the Special Rapporteur contained in his report that Equatorial Guinea is party to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols thereto, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, and his observations that there exists political will on the part of the authorities and that the efforts made in this regard have led to progress in the situation of human rights and fundamental freedoms,

Considering that the Government of Equatorial Guinea has taken steps to promote and protect human rights and fundamental freedoms, and that such action constitutes a priority in its programme of good governance,

Noting with concern the continuing existence of deficiencies and conditions that lead to violations and abuses of human rights, including cases of prolonged incommunicado detentions,

Noting with satisfaction that in February 1997 the Government of Equatorial Guinea and the opposition political parties resumed the political dialogue revising the National Pact signed in 1993, and that the results of these negotiations were to the satisfaction of all parties,

Noting that legislative elections are to be held in 1998,

1. Expresses its thanks to the Special Rapporteur for his report (E/CN.4/1998/73 and Add.1) and welcomes the report and the atmosphere of understanding, assistance and cordiality which the authorities of Equatorial Guinea provided him during his mission;

2. Expresses its appreciation of the efforts of the Government of Equatorial Guinea in welcoming the advisory services and technical assistance of the Office of the High Commissioner for Human Rights, which has led to progress in the field of human rights and fundamental freedoms in Equatorial Guinea;

3. Expresses its satisfaction for the efforts of the Government and the political parties of Equatorial Guinea in continuing the political dialogue and the revision of the National Pact, as well as for the effective realization and observation of the agreements relating to the National Pact, and encourages both the Government and the opposition to proceed to their prompt implementation;

4. Welcomes the first National Economic Conference held in Bata from 8 to 13 September 1997 at the initiative of the Government of Equatorial Guinea with the participation of all the political forces and the national and international economic actors, and takes note of the positive results of the Conference, which adopted a better and more transparent administrative and economic programme for national development;

5. Encourages the Government of Equatorial Guinea to pursue the efforts which it has already undertaken to effectively integrate women into the process of the socio-economic, cultural and political development of the country;

6. Also encourages the Government of Equatorial Guinea to promote the necessary conditions so that everyone should enjoy full economic, social and cultural rights;

7. Calls upon the Government of Equatorial Guinea to take the appropriate measures so as to avoid any form of discrimination against ethnic groups;

8. Invites Equatorial Guinea to become a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to the International Convention on the Elimination of All Forms of Racial Discrimination;

9. Encourages the Government of Equatorial Guinea to continue its efforts to promote and protect human rights and fundamental freedoms as contained in its programme of priorities in the fields of democracy, human rights and governance presented in 1997, and in particular to:

(a) Pursue its efforts at improving both the functioning of the judiciary and the training of judges, prosecutors and lawyers in order to ensure the proper, guaranteed and effective administration of justice and strictly limit military courts to trying military offences committed by military personnel;

(b) Publish regularly laws, decrees and other governmental acts;

(c) Reiterate its instructions to the forces of law and order not to order or make arbitrary arrests and to respect the right of individuals to security, physical integrity and freedom;

(d) Take the necessary measures to avoid acts of torture and cruel, inhuman or degrading treatment or punishment;

(e) Continue its efforts to investigate and impose criminal and disciplinary penalties on those responsible for the violation of human rights;

10. Welcomes the improvements in the conditions of prisoners and detainees introduced by the competent authorities, and requests that these efforts continue in accordance with the recommendations of the Special Rapporteur;

11. Calls upon the Government of Equatorial Guinea to adopt the necessary measures to guarantee transparency and respect for the electoral process in the legislative elections to be held in 1998, with a view to facilitating the free participation of political parties, and calls upon all parties to continue to contribute to the progress of the democratic process;

12. Requests the High Commissioner for Human Rights to provide technical assistance in order to support the initiative and efforts of the Government of Equatorial Guinea to establish the Centre for the Promotion of Human Rights and Democracy, which was recently legalized by the Government to strengthen the national capacities in this field, and calls upon the international community to make voluntary contributions to the relevant fund;

13. Also requests the High Commissioner for Human Rights and the Special Rapporteur to continue the technical assistance programme in partnership with the Government of Equatorial Guinea and in cooperation with the United Nations Development Programme and other United Nations agencies working in the field of human rights;

14. Decides to renew the mandate of the Special Rapporteur for one year;

15. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance for the discharge of his mandate;

16. Requests the Special Rapporteur to submit to the Commission at its fifty-fifth session a report stressing, in particular, recommendations on technical assistance needs of Equatorial Guinea in the fields of human rights and democracy;

17. Decides to consider the question at its fifty-fifth session;

18. **Recommends** the following draft decision to the Economic and Social Council for adoption:

"The Economic and Social Council, taking note of Commission on Human Rights resolution 1998/... of .. April 1998, endorses the Commission's decision to extend the mandate of the Special Rapporteur on the situation of human rights in Equatorial Guinea for one year and the Commission's request to the Special Rapporteur to submit to the Commission at its fifty-fifth session a report stressing, in particular, recommendations on technical assistance needs of Equatorial Guinea in the field of human rights and democracy. The Council requests the Secretary-General to provide the Special Rapporteur with all necessary assistance for the discharge of his mandate."

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Bangladesh, Indonesia, Iran (Islamic Republic of)*, Malaysia, Mali, Morocco, Pakistan, Qatar*, Senegal and Sudan: proposed amendments to draft resolution E/CN.4/1998/L.100

1. Add the following paragraph as the first operative paragraph to the resolution:

1. Commends the efforts of the Government of the Islamic Republic of Iran as the host for the Sixth Workshop for Regional Arrangements for the Promotion and Protection of Human Rights in the Asian and Pacific Region in Tehran;

2. Add the following paragraph as the second operative paragraph of the resolution:

2. Also commends the efforts of the Government of the Islamic Republic of Iran as the host for the Summit of the Organization of the Islamic Conference in Tehran at which three draft resolutions on the promotion of human rights were adopted;

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

3. Operative paragraph 2 (a) should read as follows:

(a) The holding of the seventh presidential elections in the Islamic Republic of Iran in 1997 and in the public commitment of the new Government to make further progress concerning human rights and fundamental freedoms;

4. Delete operative paragraphs 3 (h) and 4 (g). Insert the following as operative paragraph 1 (c) bis:

(c bis) The significant progress made in the situation of women in Iran;

5. Delete operative paragraphs 2 (d), 3 (f) and (g) and 4 (f) and replace them with the following as operative paragraph 3 bis:

3 bis. Encourages the Government of the Islamic Republic of Iran to build on its efforts in the promotion of freedom of expression by taking appropriate actions against those who attempt to curtail freedom of expression through violence;

6. Delete operative paragraphs 3 (a) and (b) and 4 (c) and (k) and replace them with the following as operative paragraph 3 ter:

3 ter. Encourages the Government of the Islamic Republic of Iran to further necessary steps to ensure due process of law and more transparency in the administration of justice;

7. Delete operative paragraphs 3 (d) and 4 (d) and replace them with the following as operative paragraph 4 quater:

4 quater. Encourages the Government of the Islamic Republic of Iran to continue its cooperation with the mechanisms of the Commission on Human Rights, including the Special Representative;

8. Delete operative paragraph 4 (j) and replace it with the following as operative paragraph 4 bis:

4 bis. Encourages the Government of the Islamic Republic of Iran to make further efforts in application of the provisions of the International Covenant on Civil and Political Rights with regard to capital punishment;

9. Delete paragraphs 3 (c) and 4 (e) and 5 (c) and replace them with the following as operative paragraph 4 ter:

4 ter. Encourages the Government of the Islamic Republic of Iran to take further steps to improve the situation of religious minorities, by giving due consideration to the recommendations of the Special Rapporteur on religious intolerance.

10. Delete operative paragraphs 3 (e) and 4 (h) and (i).

11. Replace the words Calls upon in operative paragraph 4 with the word Invites.